



BOARD OF EQUALIZATION

PROPERTY TAX COMMITTEE MEETING MINUTESHONORABLE KATHLEEN CONNELL, COMMITTEE CHAIR
450 N STREET, SACRAMENTO

JULY 31, 2001, 1:30 P.M.

ACTION ITEMS & STATUS REPORT ITEMS**Agenda Item No: 1****Title:** Proposed Property Tax Rule 29, *Possessory Interests in Taxable Government-Owned Real Property***Issue/Topic:**

Should the Board authorize publication of proposed new Property Tax Rule 29, *Possessory Interests in Taxable Government-Owned Real Property* and what should the rule include with respect to the taxable possessory interest assessment limitation?

Committee Discussion:

Staff described its recommendation to adopt the proposed rule language in Attachment 1 of the issue paper.

Staff stated that the California Assessors' Association supports staff's recommendation and that there is no known opposition to the proposed language. Staff further stated that the alternative, as proposed by the Los Angeles County Assessor, was withdrawn.

Committee Action/Recommendation/Direction:

The Committee voted unanimously to recommend that the Board authorize publication of staff's recommended language for Rule 29.

Agenda Item No: 2

Title: Property Tax Rule 122.5, *Fixtures*

Issue/Topic:

Should the Board authorize publication of staff's proposed amendment to Property Tax Rule 122.5, *Fixtures*, adding an example that defines permanently annexed wind machines as fixtures, and what should the rule include with respect to the example?

Committee Discussion:

Staff described that the California Citrus Mutual petitioned the Board to initiate the rulemaking process, and that in February 2001, the Board directed staff to draft proposed language to amend Property Tax Rule 122.5 to include an example for agricultural wind machines.

The Madera County Assessor did not address his proposed language, as presented in Alternative 1 in the issue paper, regarding classification as structures. However, acting as the California Assessors' Association Ad Hoc Subcommittee Chair, he spoke in support of leaving the discretion and judgment relevant to classification of wind machines to the assessor, thus leaving the existing Rule 122.5 unchanged.

A representative from the California Citrus Mutual and an industry member spoke in support of adopting staff's recommended language.

Committee Action/Recommendation/Direction:

The Committee voted unanimously to recommend that the Board authorize publication of staff's recommended language for amendment to Rule 122.5.

Approved:

/s/ Marcy Jo Mandel for

Kathleen Connell, Committee Chair

/s/ James E. Speed

James E. Speed, Executive Director

BOARD APPROVED

At the August 1, 2001 Board Meeting

/s/ Deborah Pellegrini

Deborah Pellegrini, Chief
Board Proceedings Division